

TITLE 16. BOARD OF BARBERING AND COSMETOLOGY

NOTICE IS HEREBY GIVEN that the Board of Barbering and Cosmetology (hereinafter referred to as the "Board") is proposing to take action as described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at the hearing to be held at 2420 Del Paso Road, Sequoia Room, Sacramento, California 95834 at 10:00 a.m., on January 7, 2008.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under the contact person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on January 7, 2008 or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 7312, 7362 and 7364, of the Business and Professions Code, and to implement, interpret or make specific Sections 7316, 7324, 7362, 7364 and 7389 of said Code, the Board is considering changes to Division 9 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend Section 950.3

Business and Professions Code, Section 7312 grants the Board authority to adopt regulations relating to the practice of barbering and cosmetology.

Business and Professions Code, Section 7316 establishes the beauty services that fall under a skin care license.

Business and Professions Code, Section 7324 provides the qualifications to take the Board's examination for estheticians.

Business and Professions Code, Section 7362 authorizes the Board to determine the required subjects of instruction to be completed by students including the minimum number of hours of practical and technical instruction.

Business and Professions Code, Section 7364 establishes the minimum number of

practical training and technical instruction hours for a school's skin care course. Business and Professions Code, Section 7389 authorizes the Board to develop a health and safety course to be taught by approved schools.

The Board is proposing to revise its current esthetician (also referred to as skin care) curriculum. This revision is necessary to ensure that esthetician students are up-to-date on current and upcoming trends in the beauty industry.

FISCAL IMPACT ON PUBLIC AGENCIES INCLUDING COSTS OR SAVINGS TO STATE AGENCIES OR COSTS/SAVINGS IN FEDERAL FUNDING TO THE STATE

The proposed regulatory action has no cost impact in terms of increased expenses and/or savings to state agencies and/or federal funding.

NONDISCRETIONARY COSTS/SAVINGS TO LOCAL AGENCIES

None

LOCAL MANDATE

None

COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH GOVERNMENT CODE SECTION 17561 REQUIRES REIMBURSEMENT

None

BUSINESS IMPACT

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

IMPACT ON JOBS/NEW BUSINESSES

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON HOUSING COSTS

None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses because the proposed esthetician curriculum's contents are not significantly different from the current esthetician curriculum. The Board does not predict small businesses will have to hire additional staff nor purchase additional equipment to conform to the proposed curriculum.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board of Barbering and Cosmetology at 2420 Del Paso Road, Suite 100, Sacramento, California 95834.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named

below. You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: April Oakley
Address: 2420 Del Paso Road, Suite 100
Sacramento, CA 95834
Telephone No.: (916) 575-7102
Fax No.: (916) 575-7281
E-Mail Address: April_Oakley@dca.ca.gov

The backup contact person is:

Name: Stacy Meza
Address: 2420 Del Paso Road, Suite 100
Sacramento, CA 95834
Telephone No.: (916) 575-7108
Fax No.: (916) 575-7281
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WEB SITE ACCESS

Materials regarding this proposal can be found at www.barbercosmo.ca.gov.